

BRAND, LOWELL & RYAN
923 Fifteenth Street, N.W.
Washington, D.C. 20005

SUBMITTED LATE
AGENDA ITEM

(202) 662-9700 (office)
(202) 737-7565 (facsimile) For Meeting of: **JUN 27 1996**

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FACSIMILE COVER SHEET

Date: 6/16/96 Sender: David F. Miller
Time: 5:40 Sender Fax #: (202) 737-7565

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET) 3 IF ALL PAGES ARE
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Recipient: N. Bradley Litchfield, Esq. Recipient: _____
Fax #: 215-3929 Fax #: _____

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BRAND, LOWELL & RYAN

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June 26, 1996

BY FACSIMILE

N. Bradley Litchfield, Esquire
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: Draft Advisory Opinion 1996-25

Dear Mr. Litchfield:

The Commission is due to consider tomorrow morning a draft of the above-captioned advisory opinion that we have requested. We had submitted comments to the draft opinion this afternoon, and we recently learned that the comments were rejected because they arrived at the Commission after 12:00 noon today.

Pursuant to my discussion with you, we are respectfully requesting that the Commission defer consideration of the draft advisory opinion until our comments can be included in the record. We would agree to permit the Commission to vote to extend its deadline to issue an advisory opinion by fifteen days, to August 7, so as to permit the Commission to re-schedule consideration of the draft opinion and our comments. As the requester of the advisory opinion, we believe that our comments provide factual insight material to the Commission's consideration of the draft opinion.

We also sincerely apologize about any delay or inconvenience that our request will cause the Commission. We practice before the Commission on a regular basis and have always sought to represent our clients in a responsible way and in a timely fashion. We understand the Commission appropriately needs time to consider comments to the draft opinions. I personally regret the comments' tardy submission by hand delivery and can only offer the imperfect excuse that, over the last week, I have been addressing damage to my home caused by two successive storms (most lately, the one on Monday evening) and that contributed to what occurred. That said, our comments were not hastily prepared after the deadline ran, but were in the review and approval stage by Tuesday afternoon, June 25. I am confident that Commission review of our comments, if it is permitted to occur on another time schedule, will bear

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N. Bradley Litchfield, Esquire

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out that they were not prepared in haste and will, we submit, assist the Commission in its consideration of this matter. This will not happen again.

Thank you in advance for your consideration of this request and I apologize again for any inconvenience caused.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David E. Frulla", with a long horizontal flourish extending to the right.

David E. Frulla